



February 3, 2017

By ECF

The Honorable Judge Jesse M. Furman  
Thurgood Marshall United States Courthouse  
40 Foley Square, Courtroom 1105  
New York, NY 10007

Re: *Alaska Electrical Pension Fund v. Bank of America Corp.*, No. 14-cv-7126 (JMF)

Dear Judge Furman:

Pursuant to our regular reporting obligations under Sections 8.2 and 11.4(a) of the initial settlement agreements preliminarily approved by this Court (Dkt. No. 228), we hereby provide an updated status report with respect to “confirmatory discovery” from the Settling Defendants.

In accordance with the Court’s November 28, 2016 Order (Dkt. No. 312), the original Settling Defendants have completed negotiation over product coverage and data “field” issues. As set forth in that same order, the next phase involves resolving counterparty-identification issues related to potential foreign privacy law objections and, of course, the actual production of the transactional data. We do not have any issues to report with respect to those issues at this time, but will do so promptly if any arise.

We also write with respect to our parallel reporting obligations under the settlement agreement with Goldman Sachs, which was separately approved by this Court months later than the others (Dkt. No. 337). As for the documents required to be produced by the settlement agreement, such has been completed. As for the transactional data, while the parties have not reached a final agreement on products and fields, there are no impasses to report, and the parties are continuing to negotiate in good faith. Further, the parties do not believe the May 22, 2017 production deadline is at risk. Nonetheless, so the Court can be assured the needed progress is being made, we intend to provide the Court with another Goldman-only status report on February 17. At that time, the parties hope to report a final agreement has been reached. If not, the parties will provide more details as to what issues are outstanding.

If the Court would like more information about the status of the Settling Defendant productions, please let us know.

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Respectfully submitted,

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